

UNITED STATES DISTRICT COURT

for the

Central District of California

UNITED STATES OF AMERICA,

v.

MARCUS JAMES BUCHANAN,

Defendant(s)

Case No. 2:22-mj-02122-duty

LODGED CLERK, U.S. DISTRICT COURT <div style="border: 1px solid black; padding: 5px; text-align: center;">5/27/2022</div> CENTRAL DISTRICT OF CALIFORNIA BY: _____ JB _____ DEPUTY
FILED CLERK, U.S. DISTRICT COURT <div style="border: 1px solid black; padding: 5px; text-align: center;">May 27, 2022</div> CENTRAL DISTRICT OF CALIFORNIA BY: <u>IM</u> _____ DEPUTY

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the dates of February 28, 2022, and April 27-28, 2022, in the county of Los Angeles in the Central District of California, the defendant violated:

Code Section

18 U.S.C. § 844(e)

Offense Description

Making a Threat through Interstate Commerce to Damage or Destroy Buildings by Fire or Explosives

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

/s/ Officer David Otwell

Complainant's signature

David Otwell, Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: May 27, 2022

Patricia Donahue

Judge's signature

City and state: Los Angeles, California

Hon. Patricia Donahue, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, David Otwell, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint and arrest warrant against Marcus James Buchanan ("BUCHANAN") for a violation of Title 18, United States Code, Section 844(e) (Making a Threat through Interstate Commerce to Damage or Destroy Buildings by Fire or Explosives).

2. The facts set forth in this affidavit are based upon my personal observations; my training and experience; and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and part only.

II. BACKGROUND OF TASK FORCE OFFICER DAVID OTWELL

3. I am a Task Force Officer ("TFO") with the Federal Bureau of Investigation's ("FBI") Joint Terrorism Task Force and have been so assigned since November of 2003. I have been a police officer in Edmond, Oklahoma for over 30 years and have been assigned to the FBI for the last 18 years as a TFO.

4. I am an investigative or law enforcement officer within the meaning of 18 U.S.C. § 2510(7), that is, an officer

of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516. I am authorized to conduct criminal investigations of violations of the laws of the United States and to execute warrants issued under the authority of the United States.

5. I have been involved in a wide variety of investigative matters. Among other responsibilities, I am responsible for conducting investigations into violations of federal criminal laws, including individuals suspected of terrorism-related activities. I have arrested, interviewed, and debriefed numerous individuals who have been involved and have personal knowledge of terrorism-related activities; to include bomb threats, possession of illegal weapons, explosives, and other illegal items. I have participated in numerous investigations involving physical and electronic surveillance. I have testified in judicial proceedings concerning the prosecution of terrorism-related offenses. I have been the affiant on, and participated in the execution of, numerous federal search warrants. I have also received training in the proper identification, preservation, and collection of digital devices and storage media.

III. SUMMARY OF PROBABLE CAUSE

6. On February 28, 2022, BUCHANAN - an Oklahoma resident who grew up in Los Angeles - called in bomb threats to five schools in Los Angeles, including two elementary schools. In a call to one of the elementary schools, BUCHANAN also threatened

that "when the kids go outside a van will shoot the kids."
BUCHANAN's girlfriend, who lives with him in Oklahoma, informed the FBI that she has heard him call in bomb threats to schools, and that he harbors a grudge against certain schools in Los Angeles schools that he believes rejected him in his youth.

7. On April 27 and 28, 2022, BUCHANAN called in additional bomb threats to two of the same five schools he previously threatened, and threatened to shoot and kill children at the other three schools.

IV. STATEMENT OF PROBABLE CAUSE

8. Based on my review of law enforcement reports, conversations with other law enforcement agents, and my own knowledge of the investigation, I am aware of the following:

A. BUCHANAN Made Harassing Phone Calls to Bancroft Middle School Throughout 2020

9. Based on my review of FBI and Los Angeles School Police Department ("LASPD") reports, I know that on multiple occasions in 2020, a man, later identified as BUCHANAN, made harassing phone calls to Bancroft Middle School, located at 929 North Las Palmas Ave, Los Angeles, California ("Bancroft Middle School"). Because the man called so many times, the school staff became able to recognize his voice. The school staff was working remotely due to COVID-19 and using school-supplied cellular phones equipped with caller ID. Through caller ID, the school staff determined that the caller making the harassing phone calls did so using phone number (806) 502-0068 (the "0068 number").

10. Based on my review of FBI and LASPD reports, I know that the school staff conducted a "reverse lookup" of the 0068 number and determined, based on their review of publicly available information, that the number was associated with a "Marcus Jamal Sanchez" located at an address in Blackwell, Oklahoma (the "Blackwell Address").

11. Based on information provided by the Los Angeles Police Department, I learned that BUCHANAN was once the subscriber of the 0068 number, his date of birth is February 2, 1978, and his address is the Blackwell Address.

12. I subsequently consulted Oklahoma DMV records, which showed that BUCHANAN's listed address is the Blackwell Address, and his date of birth is February 2, 1978. Additionally, based on my review of public and law enforcement databases, I learned that BUCHANAN uses several alias, including Marcus J. Sanchez, Marcus V. Sanchez, Marcus S. Sanchez, Marcus D. Sanchez, Marcus J. Buchanan, Marcus Buchanan, M. Sanchez and Mark Buchanan. All of those aliases are associated with BUCHANAN's date of birth in law enforcement databases.

B. BUCHANAN Made Bomb Threats Against Five Los Angeles Schools on February 28, 2022

13. Based on my review of FBI and LASPD reports, I know that BUCHANAN made the following bomb threats:

a. On February 28, 2022, at approximately 8:46 a.m., a man, later identified as BUCHANAN, called Overland Elementary School for Advanced Studies, located at 10650 Ashby Ave, Los Angeles, California ("Overland Elementary"). According to the

school staff member who answered the phone, the caller stated that there was a bomb on campus and that "when the kids go outside a van will shoot the kids." After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives or unusual items, but found none.

b. On February 28, 2022, at approximately 8:51 a.m., a man, later identified as BUCHANAN, called Vine Street Elementary School, located at 955 Vine Street, Los Angeles, California ("Vine Street Elementary"). According to the school staff member who answered the phone, the caller stated, "there's a bomb in the school," and then ended the call. After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives or unusual items, but found none.

c. On February 28, 2022, at approximately 8:54 a.m., a man, later identified as BUCHANAN, called Bancroft Middle School. According to the school staff member who answered the phone, the caller stated, "there is a bomb outside of the school about to go off," and then ended the call. After receiving the threat, the school staff notified police and placed the school on lockdown. The staff member who answered the phone told police that she recognized the caller's voice and that he was the same man who made harassing phone calls from the 0068 number throughout 2020, as described in paragraph 9 above. Police searched the campus for explosives or unusual items, but found none.

d. On February 28, 2022, at approximately 9:24 a.m., a man, later identified as BUCHANAN, called Fairfax High School, located at 7850 Melrose Ave, Los Angeles, California ("Fairfax High"). According to the school staff member who answered the phone, the caller stated: "I am in a car parked on Genesee Street with a bomb. There's going to be a lot of people dead." Another staff member took over the call and heard the caller state: "It's going to go off any minute. We're going to blow up the school. You are a sorry piece of shit." After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives and unusual items, but found none.

e. On February 28, 2022, at approximately 9:30 a.m., a man, later identified as BUCHANAN, called Le Conte Middle School, located at 1316 North Bronson Avenue, Los Angeles, California ("Le Conte Middle School"). According to the school staff member who answered the call, the caller stated that he had planted a nitrate-bomb in the building. After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives and unusual items, but found none.

14. Based on my review of LASPD reports, I know that a LASPD detective reviewed AT&T records of the calls made on February 28, 2022, to Overland Elementary, Vine Street Elementary, Bancroft Middle School, Fairfax High, and Le Conte Middle School during the period five minutes before and five minutes after the bomb threats were called into those schools.

The LASPD detective identified a common phone number, (405) 934-2489 (the "2489 number"), that had called Overland Elementary, Vine Street Elementary, and Bancroft Middle School during that timeframe. Specifically, I understand from the LAPSD detective that the AT&T records revealed the following calls from the 2489 number:

a. Overland Elementary

i. One call at 8:46 a.m., which lasted approximately one minute and 13 seconds; and

ii. One call at 8:50 a.m., which lasted approximately 24 seconds.

b. Vine Street Elementary

i. One call at 8:51 a.m., which lasted approximately 16 seconds.

c. Bancroft Middle School

i. One call at 8:53 a.m., which lasted approximately 30 seconds;

ii. One call at 8:54 a.m., which lasted approximately one minute and 10 seconds; and

iii. One call at 8:55 a.m., which lasted approximately 37 seconds.

15. According to T-Mobile records, the subscriber of the 2489 number is M.C., and the subscriber address is the Blackwell Address, which is the same address associated with BUCHANAN and the 0068 number, as described in paragraphs 10-12 above.

16. T-Mobile records show that the 2489 number made the following outgoing calls between 8:50 a.m. and 9:55 a.m. on

February 28, 2022, each of which was dialed with the prefix *67 (a tool that allows a caller to block the incoming number on caller ID):

- a. One call to Overland Elementary at 8:50 a.m.;
- b. One call to Vine Street Elementary at 8:51 a.m.;
- c. Two calls to Fairfax High at 8:52 a.m. and 9:24 a.m.;
- d. Three calls to Bancroft Middle School at 8:53 a.m., 8:54 a.m., and 8:55 a.m.;
- e. Two calls to Le Conte Middle School at 9:28 a.m. and 9:30 a.m.

C. BUCHANAN Makes Bomb Threats and Other Threats Against the Same Los Angeles Schools in April 2022

17. Based on my review of call records for the 2849 number, FBI and LASPD reports, conversations with other law enforcement agents, and my own knowledge of the investigation, I know that on April 27 and 28, 2022, BUCHANAN used the 2489 number to again call in bomb and other violent threats against the same five Los Angeles schools that he previously threatened on February 28, 2022. Specifically, based on the call records for the 2849 number, I am aware that BUCHANAN used the 2489 number to make the following threats:

- a. On April 27, 2022, at approximately 2:42 p.m., BUCHANAN called Vine Elementary School. According to the school staff member who answered the phone, BUCHANAN stated: "There is a bomb at your school and we will shoot the kids when they get out of the school. That is what you get for not accepting me in

'86." The staff member asked who was calling and BUCHANAN replied: "If you try to find out I will shoot you." After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives or unusual items, but found none.

b. On April 27, 2022, at approximately 2:45 p.m., BUCHANAN called Le Conte Middle School. According to the school staff member who answered the phone, BUCHANAN stated: "I will shoot the kids" and ended the call. After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives or unusual items, but found none.

c. On April 27, 2022, at approximately 2:50 p.m., BUCHANAN called Fairfax High School. According to the school staff member who answered the phone, BUCHANAN stated: "When the kids get out there will be some shooting. Some will be killed." After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives or unusual items, but found none.

d. On April 28, 2022, at approximately 1:18 p.m., BUCHANAN called Vine Elementary School. According to the school staff member who answered the phone, BUCHANAN stated: "There is a pipe bomb on Willoughby and Vine at the address of 955 Vine Street. Just like the one Congress is going to get." The staff member asked who was calling, and BUCHANAN replied: "That's for me to know and you to find out." After receiving the bomb threat, the school staff notified police and placed the school

on lockdown. Police searched the campus for explosives or unusual items, but found none.

e. On April 28, 2022, at approximately 1:12 p.m., BUCHANAN called Overland Elementary School. According to the school staff who answered the call, BUCHANAN stated: "Hey bitch you guys missed me. Stop playing games you know who this is. I am going to shoot the school. I know the kids are there." The school staff member asked BUCHANAN who he was and BUCHANAN replied: "You will know when I come over with my crew." After receiving the threat, the school staff notified police and placed the school on lockdown. Police searched the campus for explosives or unusual items, but found none.

D. M.C. Confirms that BUCHANAN Uses the 2489 Number to Make Bomb Threats, Including to Schools

18. Based on my review of FBI reports and my conversations with FBI Special Agents, I know that on April 29, 2022, FBI Special Agents went to the Blackwell Address, the address associated with BUCHANAN, the 0068 number, the 2489 number, and M.C. M.C. was present at the Blackwell Address and agreed to participate in a voluntary interview. BUCHANAN was not present. During the interview, M.C. stated the following:

a. M.C. lives at the Blackwell Address with BUCHANAN, who is her boyfriend.

b. M.C. has known BUCHANAN for approximately twenty years after first meeting him while attending school in Hollywood, California, and has been in a romantic relationship with BUCHANAN for approximately two years.

c. The 2489 number is billed under M.C.'s name, but BUCHANAN carries and uses the phone. BUCHANAN has another phone number, (580) 830-0882 (the "0882 number"), which is billed under his name.

d. BUCHANAN is employed as a long-haul trucker and is often on the road for weeks at a time. M.C. frequently calls BUCHANAN's 0882 number while he is on the road, and they often leave the call running for hours so that they can feel connected to each other. During these and other calls to the 0882 number, she has heard BUCHANAN use the phone associated with the 2489 number to call in bomb threats to schools, as well as to police departments and hospitals. M.C. believes that BUCHANAN makes most of these threatening phone calls while driving his truck, but has also heard him make similar calls from the Oklahoma residence.

e. M.C. has tried to explain to BUCHANAN that making threatening phone calls is wrong and that he needs to stop such conduct, but M.C. believes BUCHANAN does not understand that what he is doing is wrong.

f. M.C. has asked BUCHANAN why he makes threatening phone calls to schools, and he told her that it is because some or all of the schools he threatens did not accept him for academic or other reasons when he was younger and living in the Los Angeles area.

19. On May 4, 2022, FBI Special Agents returned to the Blackwell Address and encountered BUCHANAN there. BUCHANAN declined to speak with agents.

V. CONCLUSION

20. For all of the reasons described above, there is probable cause to believe that BUCHANAN has committed a violation of Title 18, United States Code, Section 844(e) (Making a Threat through Interstate Commerce to Damage or Destroy Buildings by Fire or Explosives).

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 27th day of
May, 2022.

Patricia Donahue
Hon. Patricia Donahue
UNITED STATES MAGISTRATE JUDGE